

EXECUTIVE JOURNAL.

[THIRTY-SECOND SESSION.]

MONDAY, DECEMBER 10, 1810.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

To the Senate of the United States:

I nominate Andrew Moore, of Virginia, to be Marshal for that district. Martin Duralde, Jun., of the Orleans Territory, to be Marshal for that district, in the place of John M. Fortier, resigned.

Thomas B. Dorsey, of Maryland, to be Attorney of the United States, for that district, in the place of John Stephen, resigned.

JAMES MADISON,

December 10th, 1810.

The message was read.

Ordered, That it lie for consideration.

TUESDAY, DECEMBER 11, 1810.

The Senate took into consideration the message of the President of the United States, of yesterday, nominating Andrew Moore, and others, to office; and

Resolved, That they do advise and consent to the appointments of Andrew Moore, and Thomas B. Dorsey, agreeably to their nominations respectively.

Ordered, That the nomination of Martin Duralde, Jun., be postponed.

WEDNESDAY, DECEMBER 12, 1810.

The Senate resumed the consideration of the nomination of Martin Duralde, Jun., and

Resolved, That it be referred to a select committee, to consider and report thereon.

Ordered, That Mr. Smith, of Maryland, be the committee.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

To the Senate of the United States:

I nominate George W. Erving, of Massachusetts, to be charged as Special Minister to the Court of Denmark, with the subject of spoliations committed under the Danish flag on the commerce of the United States.

JAMES MADISON.

December 12th, 1810.

The message was read.

Ordered, That it lie for consideration.

THURSDAY, DECEMBER 13, 1810.

The Senate took into consideration the message of the President of the United States, of yesterday, nominating George W. Erving, to office; and,

On motion by Mr. Bradley,

Resolved, That it be referred to a select committee, to consider and report thereon.

Ordered, That Mr. Bradley, Mr. Giles, and Mr. Anderson, be the committee.

FRIDAY, DECEMBER 14, 1810.

Mr. Smith, of Maryland, from the committee, appointed on the 11th instant, on the nomination of Martin Duralde, Jun., reported. Whereupon,

Resolved, That the Senate do advise and consent to the appointment, agreeably to the nomination.

Ordered, That the Secretary lay this resolution, together with that passed on the 11th instant, on the nominations of Andrew Moore and Thomas B. Dorsey, before the President of the United States.

TUESDAY, DECEMBER 18, 1810.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

To the Senate of the United States:

I nominate Samuel Herrick, of the State of Ohio, to be Attorney of the United States, for that district, in the place of William Creighton, resigned.

JAMES MADISON.

December 18th, 1810.

The message was read.

Ordered, That it lie for consideration.

Mr. Bradley, from the committee appointed the 13th instant, on the message of the President of the United States, of the 12th, nominating George W. Erving to office, made report; and,

On motion, by instruction of the committee,

Ordered, That the message be the order of the day for to-morrow.

WEDNESDAY, DECEMBER 19, 1810.

The Senate took into consideration the message of the President of the United States, of yesterday, nominating Samuel Herrick, to office; and

Resolved, That they do advise and consent to the appointment, agreeably to the nomination.

Ordered, That the Secretary lay this resolution before the President of the United States.

The Senate resumed the consideration of the message of the President of the United States, of the 12th instant, nominating George W. Erving to office; and,

On motion by Mr. Leib,

Ordered, That it be further postponed until to-morrow.

THURSDAY, DECEMBER 20, 1810.

The Senate resumed the consideration of the message of the President of the United States, of the 12th instant, nominating George W. Erving to office; and,

On the question, “Will the Senate advise and consent thereto?”

It was determined in the affirmative: Yeas, 16; Nays, 9.

On motion,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are—Messrs. Clay, Crawford, Condit, Cutts, Gaillard, Giles, Gilman, Lambert, Leib, Lloyd, Mathewson, Pope, Robinson, Smith, of Maryland, Smith, of New York, and Tait.

Those who voted in the negative, are—Messrs. Anderson, Bradley, Campbell, Champlin, Dana, Franklin, Goodrich, Horsey, and Pickering.

So it was

Resolved, That the Senate do advise and consent to the appointment, agreeably to the nomination.

Ordered, That the Secretary lay this resolution before the President of the United States.

MONDAY, DECEMBER 31, 1810.

The Senate resumed, as in Committee of the Whole, the bill declaring the laws now in force in the Territory of Orleans, to extend to, and to have full force and effect to the river Perdido, pursuant to the treaty concluded at Paris, on the 30th day of April, 1803, and for other purposes; and,

On motion by Mr. Smith, of Maryland,

The galleries were cleared.

On motion by Mr. Lloyd,

That the injunction of secrecy, in reference to any communications in relation to Louisiana, or West or East Florida, in possession of the Senate, be removed, and that any member of the Senate be at liberty to quote, or otherwise make use of them. Withdrawn

A motion was made by Mr. Campbell,

That all the confidential communications, respecting the cession of Louisiana, be read. Withdrawn.

On motion by Mr. Pickering,

That a committee be appointed to read the confidential papers in possession of the Senate, relating to the purchase of Louisiana by the United States, and their claim to West Florida; and to select and report to the Senate, such of them, as, in their opinion, are requisite for the information of the Senate, and which it may be proper to make public. Withdrawn.

On motion by Mr. Anderson,

It was agreed that the further consideration of the bill, last mentioned, be postponed.

WEDNESDAY, JANUARY 2, 1811.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

To the Senate of the United States:

I nominate Levi Lincoln, of Massachusetts, to be an Associate Justice of the Supreme Court of the United States, in the room of William Cushing, deceased.

John Tyler, of Virginia, to be Judge of the District Court of Virginia, in the place of Cyrus Griffin, deceased.

David Robinson, of Vermont, to be Marshal of the district of Vermont.
JAMES MADISON.

January 2d, 1811.

The message was read.

Ordered, That it lie for consideration.

THURSDAY, JANUARY 3, 1811.

The bill declaring the laws now in force in the Territory of Orleans, to extend to, and to have full force and effect to the river Perdido, pursuant to the treaty concluded at Paris, on the 30th day of April, 1803, and for other purposes, being under consideration,

A discussion took place on the propriety of printing certain confidential papers; and,

On motion by Mr. Franklin,

The galleries were cleared; and

A discussion took place on the propriety of printing certain confidential communications from the President of the United States.

The Senate took into consideration the message of the President of the United States, of yesterday, nominating Levi Lincoln, and others, to office; and

Resolved, That they do advise and consent to the appointments of Levi Lincoln, and John Tyler, agreeably to their nominations respectively.

On motion by Mr. Bradley,

Ordered, That the further consideration of the nomination of David Robinson, be postponed.

MONDAY, JANUARY 7, 1811.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

To the Senate of the United States:

Commissions having been granted, during the recess of the Senate, to the following persons, I now nominate them to the same offices, as respectively annexed to their names.

Robert Habersham, of Georgia, to be Commissioner of Loans for the United States, in the State of Georgia.

Henry Dangerfield, of Virginia, to be Secretary of the Mississippi Territory.

Nehemiah Tilton, of Delaware, to be Register of the Land Office of the United States in the county of Adams, in the Mississippi Territory, for the lands lying west of Pearl river.

Thomas Freeman, of the Mississippi Territory, to be Surveyor of the Lands of the United States south of the State of Tennessee.

Joseph Forrest, of the District of Columbia, to be a Justice of the Peace for the county of Washington, in the said District.

John B. Davy, of Pennsylvania, to be Consul of the United States, for the port of Rangoon, in the Burman Empire.

Samuel Abbott, of the Michigan Territory, to be Collector for the district, and Inspector of the Revenue for the port of Michillimackinac.

Jonathan Smith, of Massachusetts, to be Inspector of the Revenue for the port of Beverly.

Samuel Mathews, of North Carolina, to be Surveyor and Inspector of the Revenue, for the port of Nixonton.

William Joyner, of South Carolina, to be Collector for the district, and Inspector of the Revenue for the port of Beaufort.

Robert Butler, of Virginia, to be Surveyor and Inspector of the Revenue for the port of Smithfield, in Virginia.

JAMES MADISON.

January 7th, 1811.

The message was read.

Ordered, That it lie for consideration.

The Senate resumed the consideration of the nomination of David Robinson; and

Resolved, That they do advise and consent to the appointment, agreeably to the nomination.

Ordered, That the Secretary lay this resolution, together with that passed on the 3d instant, on the nominations of Levi Lincoln and John Tyler, before the President of the United States.

WEDNESDAY, JANUARY 9, 1811.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

To the Senate of the United States:

I nominate William Hull, of Massachusetts, whose commission as Governor of the Michigan Territory, will expire on the 1st of March next, to be Governor of the said Territory, for three years next ensuing that date.

Frederick Bates, whose commission as Secretary of the Louisiana Territory, will expire on the 4th of February next, to be Secretary of the said Territory, for four years next ensuing that date.

Thomas G. Thornton, of Massachusetts, whose commission as Marshal for the district of Maine, will expire on the 9th of January, of the present year, to be Marshal of that district, for the term of four years next ensuing that date.

Robert Cochran, of South Carolina, whose commission as Marshal, will, in like manner, expire on the 25th of January, instant, to be Marshal of that district, for four years from that date.

Michael M'Clary, of New Hampshire, whose commission as Marshal will expire on the 16th of January, instant, to be Marshal of that district, for four years from and after that date.

Peter Curtenius, of New York, whose commission as Marshal will expire on the 16th January, instant, to be Marshal of that district, for four years ensuing that date.

John Childress, of Tennessee, whose commission as Marshal for the district of West Tennessee, will expire on the 9th January, instant, to be Marshal of that district, for four years from that date.

JAMES MADISON.

January 8th, 1811.

The message was read; and,

On motion by Mr. Gilman,

It was agreed that the rule be dispensed with, and that the Senate now consider the nominations therein contained, of Michael M'Clary and Peter Curtenius. Whereupon,

Resolved, That the Senate do advise and consent to the appointments, agreeably to the nominations respectively.

On motion by Mr. Smith, of Maryland,

Ordered, That the Secretary make return thereof to the President of the United States, immediately.

Ordered, That the other nominations, contained in the said message, lie for consideration.

The Senate took into consideration the message of the President of the United States, of the 7th instant, nominating Robert Habersham, and others, to office; and

Resolved, That the Senate do advise and consent to the appointments of Robert Habersham, Henry Dangerfield, Nehemiah Tilton, Thomas Freeman, and Joseph Forrest, agreeably to their nominations respectively.

Ordered, That the other nominations, contained in said message, and not advised and consented to by the Senate, be postponed.

THURSDAY, JANUARY 10, 1811.

The Senate took into consideration the message of the President of the United States, of yesterday, nominating William Hull, and others, to office; and

Resolved, That they do advise and consent to the appointments of Frederick Bates, Thomas G. Thornton, Robert Cochran, and John Childress, agreeably to their nominations respectively.

On motion by Mr. Pope,

Ordered, That the Secretary lay this resolution before the President of the United States.

On motion by Mr. Worthington,

Resolved, That the nomination of William Hull be referred to a select committee, to consider and report thereon; and

Ordered, That Mr. Worthington, Mr. Bradley, and Mr. Pope, be the committee.

The Senate resumed the consideration of the message of the President of the United States, of the 7th instant, nominating Robert Habersham, and others, to office; and

Resolved, That they do advise and consent to the appointments of Samuel Mathews and William Joyner, agreeably to their nominations respectively.

On motion by Mr. Pope,

Ordered, That the Secretary lay this resolution, together with that passed yesterday, on the nominations of Robert Habersham, and others, before the President of the United States.

On motion by Mr. Smith, of Maryland,

Resolved, That the other nominations contained in the said message, not advised and consented to by the Senate, be referred to a select committee, to consider and report thereon.

Ordered, That Mr. Worthington, Mr. Bradley, and Mr. Pope, be the committee.

SATURDAY, JANUARY 12, 1811.

Mr. Worthington, from the committee appointed on the 10th instant, on the message of the President of the United States, of the 7th instant, nominating Robert Habersham, and others, to office, reported on the nominations of John B. Davy, Samuel Abbott, Jonathan Smith, and Robert Butler. Whereupon,

Resolved, That the Senate do advise and consent to the appointments of John B. Davy, and Samuel Abbott, agreeably to their nominations respectively.

Ordered, That the nominations of Jonathan Smith and Robert Butler be postponed.

Mr. Worthington, from the committee, appointed the 10th instant, on the message of the President of the United States, of the 9th, nominating William Hull, and others, to office, reported on the nomination of William Hull. Whereupon,

Resolved, That the Senate do advise and consent to the appointment, agreeably to the nomination.

Ordered, That the Secretary lay this resolution before the President of the United States.

FRIDAY, JANUARY 18, 1811.

Mr. Worthington, from the committee, further reported on the consideration of the nominations of Jonathan Smith and Robert Butler, contained in the message of the President of the United States, of the 7th instant; and

Resolved, That the Senate do advise and consent to the appointments, agreeably to the nominations respectively.

Ordered, That the Secretary lay this resolution before the President of the United States.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

To the Senate of the United States:

I nominate James Anderson, of South Carolina, to be Consul of the United States, at Gottenburg, in Sweden.

JAMES MADISON.

January 18th, 1811.

The message was read.

Ordered, That it lie for consideration.

MONDAY, JANUARY 21, 1811.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

To the Senate of the United States:

I nominate Edward Ward, of the Mississippi Territory, to be a member of the Legislative Council of the Mississippi Territory, being one of two persons nominated to me by the House of Representatives of that Territory, to fill the vacancy occasioned by the resignation of Joseph Roberts.

John Smith, of Pennsylvania, whose commission as Marshal will expire on the 25th January, instant, to be Marshal of that district, for four years next ensuing that date.

JAMES MADISON.

January 19th, 1811.

The message was read.

Ordered, That it lie for consideration.

TUESDAY, JANUARY 22, 1811.

The Senate took into consideration the message of the President of the United States, of the 18th instant, nominating James Anderson to office; and

Resolved, That they do advise and consent to the appointment, agreeably to the nomination.

Ordered, That the Secretary lay this resolution before the President of the United States.

The Senate took into consideration the message of the President of the United States, of yesterday, nominating Edward Ward and John Smith, severally to office; and

Ordered, That the nomination of Edward Ward be postponed.

On motion by Mr. Leib,

Resolved, That the nomination of John Smith be referred to a select committee, to consider and report thereon.

Ordered, That Mr. Leib, Mr. Bayard, and Mr. Gregg, be the committee.

WEDNESDAY, JANUARY 23, 1811.

The Senate resumed the consideration of the nomination of Edward Ward, contained in the message of the President of the United States, of the 21st instant; and

Resolved, That they do advise and consent to the appointment, agreeably to the nomination.

FRIDAY, JANUARY 25, 1811.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

To the Senate of the United States:

I nominate Lewis Cass, of Ohio, whose commission as Marshal will expire on the 2d day of March next, to be Marshal of the district of Ohio, for four years next ensuing that date.

Jacob K. Kendall, of Indiana Territory, William Turner, of Maryland, and Cornelius Cunningham, of the District of Columbia, having been commissioned during the recess of the Senate, Surgeon's Mates on the Military Peace Establishment of the United States, I now nominate them to the same appointments.

I nominate, for the following promotion and appointments in the Army of the United States, James N. Stewart, Surgeon's Mate, to be Surgeon in the regiment of Light Artillery, vice Dennis Claude, resigned Oct. 1, 1810; Thomas Lawson, of Virginia, and Jonathan Cool, of New Jersey, to be appointed Surgeon's Mates, on the Military Peace Establishment; Richard James Butler, of Pittsburg, Pennsylvania, to be appointed Surgeon's Mate in the sixth regiment of Infantry.

JAMES MADISON.

January 24th, 1811.

The message was read.

Ordered, That it lie for consideration.

MONDAY, JANUARY 28, 1811.

The Senate took into consideration the message of the President of the United States, of the 25th instant, nominating Lewis Cass, and others, to office; and

Resolved, That they do advise and consent to the appointments of Lewis Cass, Cornelius Cunningham, James N. Stewart, Thomas Lawson, Jonathan Cool, and Richard James Butler, agreeably to their nominations respectively.

Ordered, That the other nominations be postponed.

WEDNESDAY, JANUARY 30, 1811.

The Senate resumed the consideration of the message of the President of the United States, of the 25th instant, nominating Lewis Cass, and others, to office; and,

On motion,

Resolved, That the nominations of Jacob K. Kendall and William Turner, contained in said message, be referred to a select committee, to consider and report thereon.

Ordered, That Mr. Reed, Mr. Cutts, and Mr. Whiteside, be the committee.

THURSDAY, JANUARY 31, 1811.

Mr. Leib, from the committee appointed the 22d instant, on the nomination of John Smith, contained in the message of the President of the United States, of the 19th, reported. Whereupon,

Resolved, That the Senate do advise and consent to the appointment, agreeably to the nomination.

Ordered, That the Secretary lay this resolution before the President of the United States; also, the resolution, passed the 23d instant, on the nomination of Edward Ward.

FRIDAY, FEBRUARY 1, 1811.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

To the Senate of the United States:

I nominate William Clark, of Louisiana Territory, to be Brigadier General of the Militia of that Territory.

Ferdinand L. Claiborne, of the Mississippi Territory, to be Brigadier General of the Militia of the said Territory.

William Rector, of the Illinois Territory, to be Brigadier General of the Militia of the same.

JAMES MADISON.

February 1st, 1811.

The message was read.

Ordered, That it lie for consideration.

MONDAY, FEBRUARY 4, 1811.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

To the Senate of the United States:

Levi Lincoln having declined the appointment of Associate Justice of the Supreme Court of the United States, in the room of William Cushing, deceased, I nominate Alexander Wolcott, of Connecticut, to fill that vacancy.

JAMES MADISON.

February 4th, 1811.

The message was read.

Ordered, That it lie for consideration.

TUESDAY, FEBRUARY 5, 1811.

The Senate took into consideration the message of the President of the United States, of the 1st instant, nominating William Clark, and others, to office; and

Resolved, That they do advise and consent to the appointments of William Clark and Ferdinand L. Claiborne, agreeably to their nominations respectively.

On motion,

Ordered, That the nomination of William Rector be postponed.

The Senate took into consideration the message of the President of the United States, of yesterday, nominating Alexander Wolcott to office; and,

On motion by Mr. Bradley,

Ordered, That the consideration thereof be postponed.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

To the Senate of the United States:

I nominate Joseph Prentiss, of Virginia, to be Surveyor for the port of Suffolk, in Virginia, and Inspector of the Revenue for the port of Suffolk,

John Young, of Maryland, to be Surveyor for the port of Easton, in Maryland, and Inspector of the Revenue for the port of Easton.

Addin Lewis, of the Mississippi Territory, to be Collector of the district of Mobile, and Inspector of the Revenue for the port of Mobile.

Samuel Buell, of Vermont, to be Collector of the district of Vermont, and Inspector of the Revenue for the port of Alburgh.

John Haile, of Virginia, to be Collector of the district of Tappahannock, and Inspector of the Revenue for the port of Tappahannock.

JAMES MADISON.

February 5th, 1811.

The message was read.

Ordered, That it lie for consideration.

WEDNESDAY, FEBRUARY 6, 1811.

The Senate resumed the consideration of the nomination of William Rector, contained in the message of the President of the United States, of the 1st instant; and,

On motion,

Ordered, That the consideration thereof be further postponed.

The Senate resumed the consideration of the message of the President of the United States, of the 4th instant, nominating Alexander Wolcott to office; and,

On motion,

Ordered, That the consideration thereof be further postponed.

THURSDAY, FEBRUARY 7, 1811.

The Senate resumed the consideration of the nomination of William Rector, contained in the message of the President of the United States, of the 1st instant; and

Resolved, That they do advise and consent to the appointment, agreeably to the nomination.

Ordered, That the Secretary lay this resolution, together with that passed the 5th instant, on the nominations of William Clark and Ferdinand L. Claiborne, before the President of the United States.

The Senate resumed the consideration of the message of the President of the United States, of the 4th instant, nominating Alexander Wolcott to office; and,

On motion by Mr. Bradley,

Resolved, That it be referred to a select committee, to consider and report thereon.

Ordered, That Mr. Bradley, Mr. Crawford, and Mr. Bayard, be the committee.

The Senate took into consideration the message of the President of the United States, of the 5th instant, nominating Joseph Prentiss, and others, to office; and

Resolved, That they do advise and consent to the appointments of Addin Lewis and Samuel Buell, agreeably to their nominations respectively.

Ordered, That the other nominations contained in the said message be postponed.

FRIDAY, FEBRUARY 8, 1811.

The Senate resumed the consideration of the message of the President of the United States, of the 5th instant, nominating Joseph Prentiss, and others, to office; and

Resolved, That they do advise and consent to the appointment of John Young, agreeably to the nomination.

Ordered, That the nominations, not agreed to, be further postponed.

On motion by Mr. Smith of Maryland,

Ordered, That the Secretary lay the resolution of the 28th January, passed on the nominations of Lewis Cass, Cornelius Cunningham, James N. Stewart, Thomas Lawson, Jonathan Cool, and Richard James Butler, before the President of the United States.

MONDAY, FEBRUARY 11, 1811.

Mr. Reed, from the committee to whom was referred, on the 30th January, the nominations of Jacob K. Kendall and William Turner, contained in the message of the President of the United States, of the 25th instant, reported. Whereupon,

Resolved, That the Senate do not advise and consent to the appointment of Jacob K. Kendall, and that they do advise and consent to the appointment of William Turner, agreeably to the nomination.

Ordered, That the Secretary lay this resolution before the President of the United States.

The Senate resumed the consideration of the nominations of Joseph Prentiss and John Haile, contained in the message of the President of the United States, of the 5th instant; and,

On motion by Mr. Giles,

Resolved, That the said nominations be referred to a select committee, to consider and report thereon.

Ordered, That Mr. Giles, Mr. Franklin, and Mr. German, be the committee.

WEDNESDAY, FEBRUARY 13, 1811.

Mr. Bradley, from the committee, appointed the 7th instant, on the message of the President of the United States, of the 4th, nominating Alexander Wolcott to office, reported. Whereupon,

On the question, "Will the Senate advise and consent to the appointment, agreeably to the nomination?"

It was determined in the negative: Yeas, 9; Nays, 24.

On motion by Mr. Anderson,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are—Messrs. Brent, Condit, Crawford, Lambert, Mathewson, Pope, Robinson, Smith, of New York, and Taylor.

Those who voted in the negative, are—Messrs. Anderson, Bayard, Bradley, Campbell, Champlain, Clay, Dana, Franklin, Gaillard, German, Giles, Gilman, Goodrich, Gregg, Horsey, Leib, Lloyd, Pickering, Reed, Smith, of Maryland, Tait, Turner, Whiteside, and Worthington.

So it was

Resolved, That the Senate do not advise and consent to the appointment.

Ordered, That the Secretary lay this resolution before the President of the United States.

TUESDAY, FEBRUARY 19, 1811.

Mr. Giles, from the committee to whom was referred, on the 11th instant, the nominations of Joseph Prentiss and John Haile, contained in the message of the President of the United States, of the 5th instant, reported. Whereupon,

Resolved, That the Senate do advise and consent to the appointments, agreeably to the nominations respectively.

Ordered, That the Secretary lay this resolution, together with the resolutions passed the 7th and 8th instant, on the said message, before the President of the United States.

THURSDAY, FEBRUARY 21, 1811.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

To the Senate of the United States :

I nominate John Quincy Adams, of Massachusetts, to be an Associate Justice of the Supreme Court of the United States.

JAMES MADISON.

February 21st, 1811.

The message was read.

Ordered, That it lie for consideration.

FRIDAY, FEBRUARY 22, 1811.

The Senate took into consideration the message of the President of the United States, of yesterday, nominating John Quincy Adams to office; and

Resolved, That the Senate do advise and consent to the appointment, agreeably to the nomination.

Ordered, That the Secretary lay this resolution before the President of the United States.

TUESDAY, FEBRUARY 26, 1811.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

To the Senate of the United States:

I nominate Joel Barlow, of the District of Columbia, to be Minister Plenipotentiary to the French government.

JAMES MADISON.

February 26th, 1811.

The message was read.

Ordered, That it lie for consideration.

WEDNESDAY, FEBRUARY 27, 1811.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

To the Senate of the United States:

I nominate the persons whose names are stated in the papers marked A, B, C, D, signed by the Secretary of War, for the promotions and appointments as therein respectively proposed.

JAMES MADISON.

February 27, 1811.

A.

WAR DEPARTMENT, *February 15, 1811.*

SIR: I have the honor to propose, for your approbation, Isaac V. Van Voorhis, of the State of New York, to be appointed a Surgeon's Mate in the Military Peace Establishment of the United States.

W. EUSTIS.

The PRESIDENT of the United States.

B.

WAR DEPARTMENT, *February 25th*, 1811.

SIR: I have the honor of proposing, for your approbation, the following promotions and appointments in the corps of Engineers, viz:

Major Alexander Macomb, to be promoted to Lieut. Colonel, vice Jared Mansfield, resigned.

Captain Walker K. Armistead, to be promoted to Major, vice Alexander Macomb, promoted.

First Lieutenant Alden Partridge, to be promoted to Captain, vice Walker K. Armistead, promoted.

Second Lieutenant Joseph G. Totten, to be promoted to First Lieutenant, vice Alden Partridge, promoted.

Alexander J. Williams, a Cadet at the Military Academy, to be appointed Second Lieutenant in the corps of Engineers.

W. EUSTIS.

C.

WAR DEPARTMENT, *February 25th*, 1811.

SIR: I have the honor of proposing, for your approbation, the following promotions and appointments in the several regiments composing the "Military Peace Establishment of the United States," viz:

Regiment of Artillerists.

First Lieutenant James S. Swearingen, to be promoted to Captain, vice William Cocks, dismissed 29th January, 1811.

Second Lieutenant John D. Wyndham, to be promoted to First Lieutenant, vice James S. Swearingen, promoted.

Second Regiment of Infantry.

Second Lieutenant Alexander Brownlow, to be promoted to First Lieutenant, vice William C. Mead, resigned 1st January, 1810.

Second Lieutenant Samuel Noah, to be promoted to First Lieutenant, vice John V. Duforest, deceased 6th November, 1810.

Ensign Perrin Willis, to be promoted to Second Lieutenant, vice Francis W. Small, resigned 13th February, 1810.

James Dalliba, Gustavus Loomis, Richard H. Ashley, Thomas I. Beall, and Ezra Smith, Cadets at the Military Academy, to be appointed Second Lieutenants in the regiment of Artillerists.

Ormond Marsh, Benjamin Field, and George Ronan, Cadets at the Military Academy, to be appointed Ensigns in the first regiment of Infantry.

Hypolite H. Villard, John Bliss, and Henry Burchsted, Cadets at the Military Academy, to be appointed Ensigns in the second regiment of Infantry.

W. EUSTIS.

D.

WAR DEPARTMENT, *February 25th*, 1811.

SIR: I have the honor of proposing, for your approbation, the following promotions and appointments in the several regiments composing the "Additional Military force of the United States."

Regiment of Light Dragoons.

First Lieutenant Seleck Osborn, to be promoted to Captain, vice Bille Williams, resigned 20th February, 1811.

Second Lieutenant Elijah Boardman, to be promoted to First Lieutenant, vice Alexander S. Lyle, resigned 3d May, 1810.

Second Lieutenant John Hollingshead, to be promoted to First Lieutenant, vice Seleck Osborn, promoted.

Regiment of Light Artillery.

Captain Abraham Eustis, to be promoted to Major, vice John Saunders, deceased 15th March, 1810.

First Lieutenant James S. McKelvey, to be promoted to Captain, vice Abraham Eustis, promoted.

First Lieutenant James Gibson, to be promoted to Captain, vice Alexander S. Brooks, resigned 2d May, 1810.

First Lieutenant William Campbell, to be promoted to Captain, vice Solomon D. Townsend, resigned 30th May, 1810.

First Lieutenant Robert H. McPherson, to be promoted to Captain, vice Nathan Easterbrook, resigned 15th July, 1810.

Second Lieutenant Benjamin Branch, to be promoted to First Lieutenant, vice James S. McKelvey, promoted.

Second Lieutenant George W. Melvin, to be promoted to First Lieutenant, vice Henry Lenud, deceased 17th April, 1810.

Second Lieutenant Thomas L. Butler, to be promoted to First Lieutenant, vice James Gibson, promoted.

Third Regiment of Infantry.

Lieutenant Colonel William D. Beall, of the 5th regiment, to be promoted to Colonel in the 3d, vice Edward Pasteur, resigned 30th November, 1810.

Captain Robert C. Nicholas, of the 7th regiment, to be promoted to Major in the 3d, vice Homer V. Milton, promoted.

First Lieutenant Robert B. Moore, to be promoted to Captain, vice Jacob J. Faust, resigned 1st September, 1810.

First Lieutenant Duncan L. Clinch, to be promoted to Captain, vice Mossman Houston, resigned 31st December, 1810.

First Lieutenant James E. Denking, to be promoted to Captain, vice Cadwallader Jones, resigned 6th February, 1811.

Second Lieutenant Timothy Spann, to be promoted to First Lieutenant, vice Robert B. Moore, promoted.

Second Lieutenant Benjamin D. Herriott, to be promoted to First Lieutenant, vice William Johnson, resigned 1st December, 1810.

Second Lieutenant Benjamin M. Jackson, to be promoted to First Lieutenant, vice Duncan L. Clinch, promoted.

Second Lieutenant Samuel C. Mabson, to be promoted to First Lieutenant, vice James E. Denking, promoted.

Fifth Regiment of Infantry.

Lieutenant Colonel Joseph Constant, of the 6th regiment, to be promoted to Colonel in the 5th, vice John Whiting, deceased 3d September, 1810.

Major James Miller, of the 4th regiment, to be promoted to Lieutenant Colonel in the 5th, vice William D. Beall, promoted.

First Lieutenant George M. Brooke, to be promoted to Captain, vice Fayette Roane, resigned 1st May, 1810.

First Lieutenant Richard Whartenby, to be promoted to Captain, vice Nimrod Long, resigned 3d May, 1810.

First Lieutenant Townsend Stith, to be promoted to Captain, vice Richard Dale, resigned 30th September, 1810.

Second Lieutenant Jacob Hindman, to be promoted to First Lieutenant, vice George M. Brooke, promoted.

Second Lieutenant Washington Lee, to be promoted to First Lieutenant, vice Richard Whartenby, promoted.

Second Lieutenant William King, to be promoted to First Lieutenant, vice Townsend Stith, promoted.

Ensign Joseph Owens, to be promoted to Second Lieutenant, vice Jacob Hindman, promoted.

Ensign Edward L. Lomax, to be promoted to Second Lieutenant, vice Washington Lee, promoted.

Sixth Regiment of Infantry.

Major Homer V. Milton, of the 3d regiment, to be promoted to Lieutenant Colonel in the 6th, vice Joseph Constant, promoted.

First Lieutenant Peter Muhlenburg, to be promoted to Captain, vice William P. Bennett, resigned 1st October, 1810.

Second Lieutenant Edward Webb, to be promoted to First Lieutenant, vice Peter Muhlenburg, promoted.

Seventh Regiment of Infantry.

First Lieutenant Enos Cutler, to be promoted to Captain, vice Robert C. Nicholas, promoted.

First Lieutenant Zachary Taylor, to be promoted to Captain, vice George R. C. Floyd, promoted.

First Lieutenant Walter H. Overton, to be promoted to Captain, vice Thomas I. Van Dyke, resigned 3d December, 1810.

Second Lieutenant Jesse Jennings, to be promoted to First Lieutenant, vice Elisha Edwards, resigned 1st August, 1810.

Second Lieutenant Archibald Greer, to be promoted to First Lieutenant, vice Enos Cutler, promoted.

Second Lieutenant Jeffrey Robertson, to be promoted to First Lieutenant, vice Zachary Taylor, promoted.

Second Lieutenant James S. Wade, to be promoted to First Lieutenant, vice Walter H. Overton, promoted.

Fourth Regiment of Infantry.

Captain George R. C. Floyd, of the 7th regiment, to be promoted to Major in the 4th, vice James Miller, promoted.

First Lieutenant William Welch, to be promoted to Captain, to rank from the 9th June, 1810.

Second Lieutenant John L. Eastman, to be promoted to First Lieutenant, vice William Welch, promoted.

Second Lieutenant Benjamin Hill, to be promoted to First Lieutenant, vice Minor Huntingdon, resigned 20th February, 1810.

Ensign George Gooding, to be promoted to Second Lieutenant, vice John L. Eastman, promoted.

Ensign Josiah Bacon, Jun., to be promoted to Second Lieutenant, vice Jonathan Simonds, promoted.

Ensign Parker Greenough, to be promoted to Second Lieutenant, vice Benjamin Hill, promoted.

Regiment of Riflemen.

Captain Thomas A. Smith, to be promoted to Lieutenant Colonel, vice William Duane, resigned 31st July, 1810.

First Lieutenant Fielder Ridgeway, to be promoted to Captain, vice Thomas A. Smith, promoted.

Second Lieutenant Thomas Ramsay, to be promoted to First Lieutenant, vice Fielder Ridgeway, promoted.

Second Lieutenant William Smith, to be promoted to First Lieutenant, vice Benjamin Champney promoted.

Marie V. Boisaubin, Adam Larrabee, James Cobb, Thomas Ketcham, Henry Hobart, and Armstrong Irvine, Cadets at the Military Academy, to be appointed Second Lieutenants in the regiment of Light Artillery.

W. EUSTIS.

The message was read.

Ordered, That it lie for consideration.

The Senate took into consideration the message of the President of the United States, of yesterday, nominating Joel Barlow to office; and,

On the question, "Will the Senate advise and consent to the appointment?"

It was determined in the affirmative: Yeas, 21; Nays, 11.

On motion by Mr. Reed,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are—Messrs. Bradley, Brent, Campbell, Clay, Condit, Crawford, Cutts, Franklin, Gaillard, Gilman, Lambert, Lloyd, Mathewson, Pickering, Pope, Robinson, Smith, of New York, Tait, Taylor, Turner, and Worthington.

Those who voted in the negative, are—Messrs. Anderson, Bayard, Dana, German, Goodrich, Gregg, Horsey, Leib, Reed, Smith, of Maryland, and Whiteside.

So it was

Resolved, That the Senate do advise and consent to the appointment, agreeably to the nomination.

Ordered, That the Secretary lay this resolution before the President of the United States.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

To the Senate of the United States:

I nominate Augustus C. Ludlow, Fitzhenry Babbitt, William Carter, Jun., Walcott Chauncey, John H. Elton, Edmund P. Kennedy, Jesse Wilkinson, Joshua Watson, Horace Walpole, and Alexander James Dallas, now acting Lieutenants, to be Lieutenants in the Navy.

Robert Greenleaf, and John Williams, now First Lieutenants, to be Captains in the corps of Marines.

William S. Bush, and John M. Gamble, now Second Lieutenants, to be First Lieutenants in the corps of Marines.

William Strong, of Pennsylvania, and John Urquhart, of Maryland, to be Second Lieutenants in the corps of Marines.

Joseph G. Roberts, and Walter New, of Kentucky, to be Surgeon's Mates in the Navy.

JAMES MADISON.

February 27th, 1811.

The message was read.

Ordered, That it lie for consideration.

THURSDAY, FEBRUARY 28, 1811.

The Senate took into consideration the message of the President of the United States, of yesterday, nominating to military promotions and appointments; and, after progress,

Ordered, That the consideration thereof be postponed.

The Senate took into consideration the message of the President of the United States, of yesterday, nominating Augustus C. Ludlow, and others, to office; and, after progress,

Ordered, That the consideration thereof be postponed.

FRIDAY, MARCH 1, 1811.

The Senate took into consideration the message of the President of the United States, of the 27th February, nominating to military promotions and appointments. Whereupon,

Resolved, That the Senate do advise and consent to the promotions and appointments, agreeably to the nominations respectively.

Ordered, That the Secretary lay this resolution before the President of the United States.

The Senate resumed the consideration of the message of the President of the United States, of the 27th February, nominating Augustus C. Ludlow, and others, to office. Whereupon,

Resolved, That the Senate do advise and consent to the appointments, agreeably to the nominations respectively.

Ordered, That the Secretary lay this resolution before the President of the United States.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

To the Senate of the United States:

I nominate David B. Warden, of New York, to be Consul of the United States at Paris.

George Jefferson, of Virginia, to be Consul at Lisbon.

Samuel Hazard, of Massachusetts, to be Consul of the United States at Archangel, in Russia.

John Brereton, a Surgeon's Mate in the Navy, and James Page, of Maryland, to be Surgeons in the Navy of the United States.

JAMES MADISON.

March 1st, 1811.

The message was read.

Ordered, That it lie for consideration.

SATURDAY MARCH 2, 1811.

The Senate took into consideration the message of the President of the United States, of yesterday, nominating David B. Warden, and others, to office; and, after progress,

Ordered, That the consideration thereof be postponed.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

To the Senate of the United States:

I nominate David Campbell, of the State of Tennessee, to be a Judge in the Mississippi Territory, in the place of Thomas Rodney, deceased.

JAMES MADISON.

March 2d, 1811.

The message was read.

Ordered, That it lie for consideration.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

To the Senate of the United States:

I nominate John H. Peterson, of Virginia, to be Surveyor for the districts of Petersburg and Richmond, to reside at City Point or Bermuda Hundred, and Inspector of Revenue for the ports of Petersburg and Richmond.

Henry M. Cooke, of North Carolina, to be Collector of the district of Beaufort, North Carolina, and Inspector of the Revenue for the port of Beaufort.

JAMES MADISON.

March 2d, 1811.

The message was read.

Ordered, That it lie for consideration.

SUNDAY, MARCH 3, 1811.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

To the Senate of the United States:

I nominate George Davis, of the State of New York, to be Consul of the United States to the Regency of Tunis.

Richard Forrest, of the District of Columbia, to be Consul of the United States to the Regency of Tripoli.

JAMES MADISON.

March 3d, 1811.

The message was read.

On motion by Mr. Bayard,

That the message be now read a second time, it was objected to, as against the rule.

Ordered, That it lie for consideration.

The Senate resumed the consideration of the message of the President of the United States, of the 1st instant, nominating David B. Warden, and others, to office; and

Resolved, That the Senate do advise and consent to the appointments, agreeably to the nominations respectively.

Ordered, That the Secretary lay this resolution before the President of the United States.

The Senate took into consideration the message of the President of the United States, of yesterday, nominating David Campbell to office; and

Resolved, That they do advise and consent to the appointment, agreeably to the nomination.

Ordered, That the Secretary lay this resolution before the President of the United States.

The Senate took into consideration the message of the President of the United States, of yesterday, nominating John H. Peterson and Henry M. Cooke, to office; and

Resolved, That they do advise and consent to the appointments, agreeably to the nominations respectively.

Ordered, That the Secretary lay this resolution before the President of the United States.

Attest:

SAM: A. OTIS, *Secretary*.

END OF THE THIRTY SECOND SESSION.

CONFIDENTIAL BUSINESS.

ELEVENTH CONGRESS—THIRD SESSION.

THURSDAY, JANUARY 3, 1811.

The following confidential message was received from the President of the United States, by Mr. Coles, his Secretary:

To the Senate and House of Representatives of the United States:

I communicate to Congress, in confidence, a letter, of the 2d of December, from Governor Folch, of West Florida, to the Secretary of State; and another, of the same date, from the same, to John McKee.

I communicate, in like manner, a letter from the British Chargé d'Affaires to the Secretary of State, with the answer of the latter. Although the letter cannot have been written in consequence of any instruction from the British government, founded on the late order for taking possession of the portion of West Florida well known to be claimed by the United States; although no communication has ever been made by that government to this of any stipulation with Spain, contemplating an interposition which might so materially affect the United States; and although no call can have been

made by Spain in the present instance, for the fulfilment of any such subsisting engagement; yet the spirit and scope of the document, with the accredited source from which it proceeds, required that it should not be withheld from the consideration of Congress.

Taking into view the tenor of these several communications, the posture of things with which they are connected, the intimate relation of the country adjoining the United States, eastward of the river Perdido, to their security and tranquillity, and the peculiar interest they otherwise have in its destiny: I recommend to the consideration of Congress, the seasonableness of a declaration that the United States could not see, without serious inquietude, any part of a neighboring territory, in which they have, in different respects, so deep and so just a concern, pass from the hands of Spain into those of any other foreign power.

I recommend to their consideration, also, the expediency of authorizing the Executive to take temporary possession of any part or parts of the said territory, in pursuance of arrangements which may be desired by the Spanish authorities; and for making provision for the government of the same, during such possession.

The wisdom of Congress will, at the same time, determine how far it may be expedient to provide for the event of a subversion of the Spanish authorities within the territory in question, and an apprehended occupancy thereof by any other foreign power.

JAMES MADISON.

WASHINGTON, *January 3d*, 1811.

The message was read.

On motion by Mr. Clay,

Resolved, That the message from the President of the United States, of this day, which has been just read, be referred to a committee, with leave to report by bill or otherwise; and

Ordered, That Mr. Clay, Mr. Crawford, Mr. Bradley, Mr Smith, of Maryland, and Mr. Anderson, be the committee.

MONDAY, JANUARY 7, 1811.

Mr. Clay, from the committee, appointed the 3d instant, on the confidential message of the President of the United States, reported a declaration and bill to enable the President of the United States to take possession of the country lying east of the Perdido, and south of the State of Georgia and the Mississippi Territory, and for other purposes; which were read, and passed to a second reading.

On motion by Mr. Anderson,

That the bill be now read the second time; it was objected to, as against the rule.

On motion by Mr. Crawford,

That the Secretary furnish each Senator, requiring it, with a manuscript copy of the said bill;

It was determined in the negative: Yeas, 14; Nays, 16.

On motion by Mr. Crawford,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are—Messrs. Bayard, Champlin,

Crawford, Dana, Franklin, Goodrich, Horsey, Lambert, Lloyd, Pickering, Reed, Smith, of New York, Tait, and Whiteside.

Those who voted in the negative, are—Messrs. Anderson, Bradley, Brent, Campbell, Clay, Condit, Cutts, Gaillard, German, Gilman, Gregg, Leib, Mathewson, Robinson, Smith, of Maryland, and Taylor.

Mr. Bayard submitted the following resolution for consideration:

“*Resolved*, That the Secretary of the Senate be instructed to cause to be printed one copy for each member of the Senate, of the bill and declaration this day reported to the Senate by their select committee; and to adopt such measures as will ensure the same being printed without danger of the secret proceedings of the Senate, on the subject, being disclosed;” and,

On the question to agree thereto,

It was determined in the negative: Yeas, 7; Nays, 23.

On motion by Mr. Bayard,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are—Messrs. Bayard, Champlin, Goodrich, Horsey, Lloyd, Pickering, and Reed.

Those who voted in the negative, are—Messrs. Anderson, Bradley, Brent, Campbell, Clay, Condit, Crawford, Cutts, Dana, Franklin, Gaillard, German, Gilman, Gregg, Lambert, Leib, Mathewson, Robinson, Smith, of Maryland, Smith, of New York, Tait, Taylor, and Whiteside.

TUESDAY, JANUARY 8, 1811.

The bill to enable the President of the United States to take possession of the country lying east of the Perdido and south of the State of Georgia and the Mississippi Territory, and for other purposes, was read the second time; and,

On motion by Mr. Clay,

It was considered as in Committee of the Whole.

On motion by Mr. Bayard,

To amend the bill by striking out of the first section thereof, the words, “In the event of such arrangement for that purpose as shall have been made with the local authority which may then exist;” and in lieu thereof, to insert the words, “In case an arrangement has been or shall be made with the local authority of the said territory, for delivering up the possession of the same to the United States:”

On motion by Mr. Gilman,

A division of the question was called for; and the question being put on striking out,

It was determined in the affirmative.

The question was then taken upon inserting the proposed amendment,

And determined in the affirmative: Yeas, 20; Nays, 12.

On motion by Mr. Crawford,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are—Messrs. Anderson, Bayard, Brent, Campbell, Condit, Crawford, Franklin, German, Gregg, Lambert, Lloyd, Mathewson, Pickering, Pope, Reed, Smith, of Maryland, Smith, of New York, Tait, Taylor, and Worthington.

Those who voted in the negative, are—Messrs. Bradley, Champlin, Clay, Cutts, Dana, Gaillard, Gilman, Goodrich, Horsey, Leib, Robinson, and Whiteside.

On motion by Mr. Bayard,

Further to amend the bill, by striking out of the first section thereof, the words, “Or in the event of an attempt to occupy the said territory by any foreign government;”

It was determined in the negative: Yeas, 11; Nays, 20.

On motion by Mr. Bayard,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are—Messrs. Bayard, Bradley, Champlin, Dana, Franklin, Goodrich, Horsey, Lambert, Lloyd, Pickering, and Reed.

Those who voted in the negative, are—Messrs. Anderson, Brent, Campbell, Clay, Condit, Crawford, Cutts, Gaillard, German, Gilman, Gregg, Leib, Pope, Robinson, Smith, of Maryland, Smith, of New York, Tait, Taylor, Whiteside, and Worthington.

On motion by Mr. Bayard,

It was agreed to amend the fourth section of the bill, by inserting after the word “enacted,” the words, “That in case possession of the territory aforesaid shall be obtained by the United States, as aforesaid.”

WEDNESDAY, JANUARY 9, 1811.

The Senate resumed, as in Committee of the Whole, the bill to enable the President of the United States to take possession of the territory lying east of the Perdido, and south of the State of Georgia and the Mississippi Territory, and for other purposes.

Mr. Lloyd presented the oaths, or affidavits, subscribed and sworn to by Samuel Turner, Jun., John G. McDonald, and Lewis H. Machen, for the faithful discharge of their respective duties as clerks in the office of the Secretary of the Senate of the United States, which were read, as follows:

“I, Samuel Turner, Jun. do solemnly swear, that I will, with fidelity, and to the best of my ability, perform the duties that may be assigned to me as a clerk in the office of the Secretary of the Senate of the United States; and that I will faithfully and inviolably keep secret all the confidential business of the Senate, until I may be specially absolved therefrom.

SAMUEL TURNER, Jun.

District of Columbia, County of Washington.

On the 9th day of January, 1811, Samuel Turner came before the subscriber, one of the United States’ Justices of the Peace for the county, and made oath to the truth of the above statement.

JOHN OTT.

I, John G. McDonald, do solemnly swear, that I will, with fidelity, and to the best of my ability, perform the duties that may be assigned to me as a clerk in the office of the Secretary of the Senate of the United States; and that I will faithfully and inviolably keep secret all the confidential business of the Senate, until I may be specially absolved therefrom.

JOHN G. McDONALD.

Sworn to and subscribed before me, this 9th day of January, 1811.

SAMUEL N. SMALLWOOD.

I, Lewis H. Machen, do solemnly swear, that I will, with fidelity, and to the best of my ability, perform the duties that may be assigned to me as a clerk in the office of the Secretary of the Senate; and that I will faithfully and inviolably keep secret all the confidential business of the Senate, until I may be specially absolved therefrom.

LEWIS H. MACHEN.

Sworn to and subscribed before me, this 9th day of January, 1811.

SAMUEL N. SMALLWOOD,

Justice of the Peace in and for Washington county, Dis. of Columbia.

Whereupon,

On motion by Mr. Lloyd,

Resolved, That the Secretary of the Senate be authorized to employ the clerks in his office, who have subscribed and taken the oath, the form of which has been read to the Senate, in transcribing or otherwise arranging the business confidentially communicated to the Senate.

On motion by Mr. Clay,

It was agreed to amend the first section of the bill, by inserting the words, "or any part thereof," between the words "same" and "to."

On motion by Mr. Clay,

It was agreed to amend the bill, by striking out all the words, in the second section, preceding the words, "and he may for, &c." also, by striking out of the same section, the words "of the said detachment, and."

On motion by Mr. Clay,

It was agreed further to amend the bill, by striking out of the third section, the words "for paying and subsisting such part of the detachment as may be required for actual service; and," also, the word "other," between the words "such" and "expenses;" also, by inserting after the words "necessary for," the words, "obtaining possession as aforesaid; and," and, also, by striking out the words "and the Territories of the United States."

On motion by Mr. Clay,

It was agreed further to amend the bill, by adding to the first section the remainder of the original second section; and by adopting the original third and fourth sections, as the second and third sections of the bill; and,

Having gone through the amendments, the President reported the bill to the House accordingly.

On motion by Mr. Franklin,

Further to amend the bill, by striking out of the first section the words "or in the event of the attempt to occupy the said territory, or any part thereof by any foreign government;"

It was determined in the negative: Yeas, 10; Nays, 19.

On motion by Mr. Clay,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are—Messrs. Bayard, Bradley, Champlin, Franklin, Goodrich, Horsey, Lambert, Lloyd, Pickering, and Reed.

Those who voted in the negative, are—Messrs. Anderson, Brent, Campbell, Clay, Crawford, Cutts, Gaillard, German, Gillman, Gregg, Leib, Mathewson, Pope, Robinson, Smith, of Maryland, Smith, of New York, Tait, Taylor, and Whiteside.

On the question, "Shall this bill be engrossed and read a third time, as amended?"

It was determined in the affirmative.

On motion by Mr. Champlin,

That the injunction of secrecy respecting the bill, be taken off, and that the further discussion thereof be with open doors;

It was determined in the negative: Yeas, 6; Nays, 24.

On motion by Mr. Champlin,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are—Messrs. Bayard, Champlin, Goodrich, Horsey, Lloyd, and Pickering.

Those who voted in the negative, are—Messrs. Anderson, Bradley, Brent, Campbell, Clay, Crawford, Cutts, Franklin, Gaillard, German, Gilman, Gregg, Lambert, Leib, Mathewson, Pope, Reed, Robinson, Smith, of Maryland, Smith, of New York, Tait, Taylor, Whiteside, and Worthington.

Mr. Anderson submitted the following motion:

"*Resolved*, That the subject matter of the bill, entitled "An act to enable the President of the United States to take possession of the country lying east of the Perdido, and south of the State of Georgia and the Mississippi Territory, and for other purposes," be kept inviolably secret by the members of the Senate, until the Senate shall, by their resolution, take off the injunction of secrecy;" which was read; and,

On the question to agree thereto,

It was determined in the affirmative: Yeas, 20; Nays, 6.

On motion by Mr. Anderson,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are—Messrs. Anderson, Bradley, Brent, Clay, Crawford, Cutts, Franklin, Gaillard, Gilman, Gregg, Lambert, Leib, Pope, Reed, Robinson, Smith, of Maryland, Tait, Taylor, Whiteside, and Worthington.

Those who voted in the negative, are—Messrs. Bayard, Champlin, Dana, Goodrich, Lloyd, and Pickering.

Mr. Cutts, from the committee, reported the bill last mentioned, correctly engrossed.

A confidential message was received from the House of Representatives, by Mr. Montgomery and Mr. Cutts, two members of that body, with the following resolution, in which they ask the concurrence of the Senate; and they withdrew.

CONGRESS OF THE UNITED STATES.

In the House of Representatives, 8th January, 1811.

"Taking into view the present state of the world, the peculiar situation of Spain and of the American provinces, and the intimate relation of the territory eastward of the river Perdido, adjoining the United States, to their security and tranquillity: Therefore,

Resolved, by the Senate and House of Representatives of the United States of America, in Congress assembled, That the United States cannot see, with indifference, any part of the Spanish provinces, adjoining the said

States, eastward of the river Perdido, pass from the hands of Spain into those of any other foreign power."

The resolution was read, and passed to a second reading.

THURSDAY, JANUARY 10, 1811.

The bill to enable the President of the United States to take possession of the country lying east of the Perdido, and south of the State of Georgia and the Mississippi Territory, and for other purposes, was read the third time; and,

On motion by Mr. Clay,

To fill the blank with the words "one hundred thousand dollars;"

On the question to agree thereto, the Senate being equally divided, the President determined the question in the affirmative.

On the question, "Shall this bill pass, as amended?"

It was determined in the affirmative: Yeas, 23; Nays, 7.

On motion by Mr. Champlin,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are—Messrs. Anderson, Bradley, Brent, Campbell, Clay, Condit, Crawford, Cutts, Franklin, Gaillard, Gilman, Gregg, Lambert, Leib, Mathewson, Pope, Robinson, Smith, of Maryland, Smith, of New York, Tait, Taylor, Whiteside, and Worthington.

Those who voted in the negative, are—Messrs. Bayard, Champlin, Goodrich, Horsey, Lloyd, Pickering, and Reed.

On motion by Mr. Clay,

It was agreed to amend the title of the bill, by inserting the word "river," before the word "Perdido;" and after the word "States," by inserting the words "under certain contingencies."

So it was

Resolved, That this bill do pass, and that the title thereof be "An act to enable the President of the United States, under certain contingencies, to take possession of the country lying east of the river Perdido, and south of the State of Georgia and the Mississippi Territory, and for other purposes."

On motion by Mr. Clay,

Resolved, That a committee of two be appointed to carry the said bill to the House of Representatives, and ask their concurrence therein.

Ordered, That Mr. Clay and Mr. Bayard be the committee.

Mr. Clay reported that the committee had performed the service assigned them.

The following confidential message was received from the President of the United States, by Mr. Coles, his Secretary:

[CONFIDENTIAL.]

To the Senate and House of Representatives of the United States:

I communicate to Congress, in confidence, the translation of a letter from Louis de Onis, to the Captain General of Caraccas.

The tendency of misrepresentations and suggestions, which, it may be inferred from this specimen, enter into more important correspondences of the writer, to promote, in foreign councils, at a critical period, views adverse

to the peace and to the best interests of our country, renders the contents of the letter of sufficient moment to be made known to the Legislature.

JAMES MADISON.

January 10th, 1811.

The message and letter therein referred to, were read.

On motion by Mr. Bayard,

Resolved, That the message and letter, therein referred to, be referred to a select committee, to consider and report thereon.

Ordered, That Mr. Bayard, Mr. Crawford, and Mr. Clay, be the committee.

The resolution yesterday received, confidentially, by message, from the House of Representatives, was read the second time; and,

On motion by Mr. Crawford,

Resolved, That it be referred to a select committee, to consider and report thereon.

Ordered, That Mr. Anderson, Mr. Crawford, Mr. Clay, Mr. Bradley, and Mr. Smith, of Maryland, be the committee.

Mr. Champlin submitted the following motion for consideration:

“Resolved, That the President of the United States be requested to cause to be laid before the Senate, such communications as may have been made to him by Louis de Onis, in relation to his having been appointed a Special Minister to the United States by the Supreme Central Junta of Spain.”

FRIDAY, JANUARY 11, 1811.

The resolution submitted yesterday by Mr. Champlin, was resumed; and, on his motion, it was agreed to amend the resolution, as follows:

“Resolved, That the President of the United States be requested to cause to be laid before the Senate, such communications as may have been made to him by Louis de Onis, in relation to his having been appointed a Special Minister to the United States by the Supreme Central Junta of Spain; and, also, in regard to the particular object of his appointment.”

On the question to agree thereto,

It was determined in the negative: Yeas, 9; Nays, 18.

On motion by Mr. Champlin,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are—Messrs. Bayard, Champlin, Dana, Goodrich, Horsey, Lloyd, Pickering, Reed, and Worthington.

Those who voted in the negative, are—Messrs. Anderson, Brent, Clay, Condit, Crawford, Cutts, Franklin, Gaillard, German, Gilman, Gregg, Lambert, Leib, Smith, of Maryland, Smith, of New York, Tait, Taylor, and Whiteside.

Mr. Anderson, from the committee appointed on the subject, reported the confidential resolution from the House of Representatives, with the following amendment:

[“Strike out all the words after the word “the,” first mentioned in the first line of the resolution, to the end thereof, and in lieu thereof, insert “peculiar situation of Spain and of her American provinces; and considering the influence which the destiny of the territory adjoining the southern border of the United States may have upon their security, tranquillity, and commerce: Therefore,

“Resolved, by the Senate and House of Representatives of the United States of America, in Congress assembled, That the United States, under the peculiar circumstances of the existing crisis, cannot, without serious inquietude, see any part of the said territory pass into the hands of any foreign power; and that a due regard to their own safety compels them to provide, under certain contingencies, for the temporary occupation of the said territory: they, at the same time, declare, that the said territory shall, in their hands, remain subject to future negotiation.”]

Which report was read, and considered as in Committee of the Whole; and, On motion to adopt the report, a division of the question was called for by Mr. Dana, and the question to strike out was agreed to, and the amendment was adopted; and the President reported the resolution to the House accordingly.

Ordered, That the resolution pass to the third reading, as amended.

SATURDAY, JANUARY 12, 1811.

Mr. Cutts, from the committee, reported the amendment to the confidential resolution from the House of Representatives, correctly engrossed; and the resolution was read the third time, as amended.

On the question, “Shall this resolution pass, as amended?”

It was determined in the affirmative: Yeas, 23; Nays, 6.

On motion by Mr. Champlin,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are—Messrs. Bradley, Brent, Campbell, Clay, Condit, Crawford, Cutts, Franklin, Gaillard, German, Gilman, Gregg, Lambert, Leib, Mathewson, Pope, Robinson, Smith, of Maryland, Smith, of New York, Tait, Taylor, Whiteside, and Worthington.

Those who voted in the negative, are—Messrs. Champlin, Dana, Goodrich, Lloyd, Pickering, and Reed.

On motion by Mr. Worthington,

Resolved, That a committee of two be appointed to carry the said resolution and amendment to the House of Representatives, and ask their concurrence therein.

Ordered, That Mr. Clay and Mr. Pickering be the committee.

MONDAY, JANUARY 14, 1811.

Mr. Clay, from the committee, reported that they had performed the duties assigned them on Saturday last.

The following confidential message was received from the House of Representatives, by Mr. Montgomery and Mr. Miller, two members of that body:

“Mr. President: The House of Representatives agree to the amendment of the Senate, to the resolution making a declaration with respect to our southern frontier.

“They concur in the bill, entitled ‘An act to enable the President of the United States, under certain contingencies, to take possession of the country lying east of the river Perdido, and south of the State of Georgia and the Mississippi Territory, and for other purposes,’”

And they withdrew.

Mr. Cutts, from the committee, reported that they, this day, examined and found duly enrolled the bill and resolution last mentioned.

TUESDAY, JANUARY 15, 1811.

The following confidential message was received from the House of Representatives, by Mr. Montgomery and Mr. Miller, two members of that body:

Mr. President: The Speaker of the House of Representatives having signed an enrolled bill, and an enrolled resolution, we are directed to bring them to the Senate for the signature of their President. And they withdrew.

The President signed the enrolled bill and resolution last reported to have been examined; and they were delivered to the committee, to be laid before the President of the United States.

FRIDAY, JANUARY 18, 1811.

Mr. Cutts, from the committee, reported that they did, on the 15th inst. lay before the President of the United States, the enrolled bill, entitled "An act to enable the President of the United States, under certain contingencies, to take possession of the country lying east of the river Perdido, and south of the State of Georgia and the Mississippi Territory, and for other purposes;" also, the resolution making a declaration with respect to our southern frontier.

The following confidential message was received from the House of Representatives, by Mr. Montgomery, and Mr. Gray, two members of that body:

Mr. President: The President of the United States, hath notified the House of Representatives, that he did, on the 15th inst., approve and sign the enrolled resolution, making a declaration with respect to our southern frontier. And they withdrew.

The following confidential message was received from the President of the United States, by Mr. Coles, his Secretary:

Mr. President: The President of the United States, did, on the 15th instant, approve and sign, "An act to enable the President of the United States, under certain contingencies, to take possession of the country lying east of the river Perdido, and south of the State of Georgia and the Mississippi Territory, and for other purposes."

Ordered, That the Secretary communicate the same to the House of Representatives, confidentially.

SUNDAY, MARCH 3, 1811.

Mr. Clay, submitted the following motion for consideration:

"Resolved, by the Senate and House of Representatives of the United States of America, in Congress assembled, That the act, passed during the present session of Congress, entitled "An act to enable the President of the United States, under certain contingencies, to take possession of the country lying east of river Perdido, and south of the State of Georgia, and the Mississippi Territory, and for other purposes;" and the declaration accompanying the

same, be not printed or published, unless directed by the President of the United States, any law or usage to the contrary notwithstanding."

On motion by Mr. Clay,

The resolution was twice read, by unanimous consent.

On the question, "Shall this resolution be engrossed and read a third time?"

It was determined in the affirmative.

Mr. Cutts, from the committee, reported the resolution last mentioned, correctly engrossed; and

The resolution was read the third time, by unanimous consent; and

Resolved, That this resolution do pass.

On motion by Mr. Turner,

Resolved, That a committee of two be appointed to carry the said resolution to the House of Representatives, and ask their concurrence therein.

Ordered, That Mr. Turner, and Mr. Smith, of Maryland, be the committee.

Mr. Turner, from the committee, reported that they had performed the duty assigned them.

A confidential message was received from the House of Representatives, by Mr. Montgomery, and Mr. Moore, two members of that body:

Mr. President: The House of Representatives have passed the confidential resolution sent from the Senate, with amendments, in which they ask the concurrence of the Senate. And they withdrew.

The Senate proceeded to consider the amendments of the House of Representatives to the said resolution. And

Resolved, That they do concur therein.

On motion by Mr. Gaillard,

Resolved, That a committee of two be appointed to inform the House of Representatives that the Senate have concurred in the said amendments.

Ordered, That Mr. Worthington and Mr. Bayard, be the committee.

Mr. Bayard, from the committee, reported that they had performed the duty assigned them.

Mr. Cutts, from the committee, reported that they had examined, and found duly enrolled, the bill, entitled "An act concerning the act to enable the President of the United States, under certain contingencies, to take possession of the country lying east of the river Perdido, and South of the State of Georgia and the Mississippi Territory, and for other purposes, and the declaration accompanying the same."

A confidential message was received from the House of Representatives, by Mr. Montgomery and Mr. Moore, two members of that body:

Mr. President: The Speaker of the House of Representatives, having signed an enrolled bill, we are directed to bring it to the Senate, for the signature of their President. And they withdrew.

The President signed the enrolled bill, last reported to have been examined, and it was delivered to the committee, to be laid before the President of the United States.

Mr. Cutts, from the committee, reported that they, this day, laid before the President of the United States, the enrolled confidential bill last mentioned.

A confidential message was received from the President of the United States, by Mr. Coles, his Secretary:

Mr. President: The President of the United States this day approved and signed the confidential bill, entitled "An act concerning an act to enable the President of the United States, under certain contingencies, to take possession of the country lying east of the river Perdido, and south of the State of Georgia and the Mississippi Territory, and for other purposes, and the declaration accompanying the same."

Ordered, That Mr. Cutts and Mr. Campbell, be a committee to notify the House of Representatives thereof.

END OF THE SESSION.